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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,709	08/18/2000	Steven Albert Benner		6472

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Steven A Benner  
1501 N W  
68th Terrace  
Gainesville, FL 32605-4147

EXAMINER

BORIN, MICHAEL L

ART UNIT	PAPER NUMBER
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1631

5

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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## Commissioner for Patents

The amendment filed on 6/2/2003 canceling the only pending claim and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). Newly submitted claims 2-13 are directed to plurality of inventions that are independent or distinct from the invention originally claimed as they are related as independent methods which are either not disclosed as capable of use together, or have different modes of operation, different functions, or different effects. (MPEP 806.04, MPEP 808.01). Since applicant has received an action on the merits for the originally presented invention, this originally presented invention has been constructively elected by original presentation for prosecution on the merits.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

 Michael Borin, Ph.D.  
Primary Examiner  
Art Unit: 1631